

Fact Sheet

**SAN MATEO COUNTYWIDE
STORMWATER POLLUTION PREVENTION PROGRAM**

ORDER NO. R2-2004-
AMENDMENT OF NPDES PERMIT NO. CAS0029921

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION
1515 CLAY STREET, 14TH FLOOR
OAKLAND, CA 94612

I. Permit History

- A. City/County Association of Governments (C/CAG) of San Mateo County, San Mateo County, Town of Atherton, City of Belmont, City of Brisbane, City of Burlingame, Town of Colma, City of Daly City, City of East of Palo Alto, City of Foster City, City of Half Moon Bay, Town of Hillsborough, City of Menlo Park, City of Millbrae, City of Pacifica, Town of Portola Valley, City of Redwood City, City of San Bruno, City of San Carlos, City of San Mateo, City of South San Francisco, and the Town of Woodside (hereinafter Dischargers), have joined together to form the San Mateo Countywide Stormwater Pollution Prevention Program (hereinafter Program). On July 21, 1999, the California Regional Water Quality Control Board for the San Francisco Bay Region (hereinafter referred to as the Regional Water Board or Board) re-issued waste discharge requirements (NPDES Permit No. CAS0029921, Order No. 99-059, hereinafter Permit) under the National Pollutant Discharge Elimination System (NPDES) to the Program to discharge stormwater runoff from storm drains and watercourses within the Dischargers' jurisdictions by complying with the Permit and implementing the Permit's associated Stormwater Management Plan (hereinafter Plan).
- B. On February 19, 2003, the Regional Water Board adopted Order No. R2-2003-0023 amending Provision C.3 (New and Redevelopment Component) of the Permit. On July 21, 2004, the Board adopted Order No. R2-2004-XXXX, amending the Permit in response to San Francisco Superior Court's Writ of Mandate and Statement of Decision. The amendments pertained to monitoring requirements and the process for amending the Permit, including the Plan.
- C. Order Nos. 99-059 and R2-2003-0023 recognize the Program's Plan as the Dischargers' comprehensive control program and requires implementation of the Plan. The Plan describes a framework for management of stormwater discharges. Pursuant to Provisions in Order No. 99-059, the 1999 Plan has been administratively modified since then and describes the Program's goals and objectives and contains Performance Standards, which represent the baseline level of effort required of each of the Dischargers. The Plan contains Performance

Standards for five different stormwater management components, including watershed assessment and monitoring.

II. Discharge Description and Location:

The Dischargers have jurisdiction over and/or maintenance responsibility for storm drains and watercourses that they own and/or operate in San Mateo County. The discharge consists of stormwater generated in all hydrologic sub-basins which drain into watercourses which in turn flow into Lower and South San Francisco Bay from the east side of the county or to the Pacific Ocean on the west side. The quality of the discharge varies considerably and is affected by hydrologic, geologic, land use, season, and sequence and duration of hydrologic events.

III. Rationale for Amendment of NPDES Permit No. CAS0029921

- A.
 1. In 2001, San Francisco BayKeeper filed a lawsuit in San Francisco County Superior Court challenging the Regional Board's adoption of the Permit. On November 14, 2003, the Court issued a Writ of Mandate and Statement of Decision that held that the Plan must be amended by Board, not Executive Officer, action and that modifications to the Plan, as an integral part of the Permit, must be subject to public notice and comment. The Board adopted Order No. R2-2004-XXXX to comply with the Court's Writ of Mandate.
 2. Consistent with the requirements of the existing Permit, there have been changes to the Plan since its adoption in 1999. Those changes were already approved by administrative action by the Executive Officer or by inaction without formal circulation process for public review or comments, which process was rejected by the Court. The Court has effectively invalidated those changes to the Plan, and the Board formally invalidated those changes by Order No. R2-2004-XXXX.

This Order therefore amends existing Order No. 99-059, as amended, to bring the invalidated administrative approvals and any pending requests for administrative approvals for consideration and action by the Water Board.

- C. Pursuant to 40 CFR sections 124.5.c.2 and 122.62 only those conditions to be modified by this amendment shall be reopened with this amendment. All other aspects of the existing permit shall remain in effect and are not subject to modification by this amendment.

IV. Written Comments

The formal written comment period for this Tentative Order to amend an existing Permit was closed **at 5 PM on June 18, 2004**. The Dischargers submitted minor

editorial comments and were incorporated to the Tentative Order where applicable.

Contact for this Tentative Order:

Regional Water Quality Control Board
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Oakland, California 94612
Attn.: Habte Kifle

Or

FAX: (510) 622-2460
e-mail: hk@rb2.swrcb.ca.gov

V. Public Hearing

The Board will consider the Tentative Order, and any proposed changes thereto based on public comments, at its July 21, 2004, meeting. The meeting will be held at:

**July 21, 2004
9:00 A.M.**

**Elihu M. Harris Building
First Floor Auditorium
1515 Clay Street
Oakland, CA 94612**

VI. Additional Opportunities to Comment on NPDES Permit No. CAS0029921

The purpose of this Permit amendment is to adopt invalidated administrative approvals to the Plan and any pending requests for amendments to the Plan in a manner that comports with applicable regulations. No other parts of the Permit, including the Plan, are being reopened and reconsidered. However, this Permit is up for reissuance in 2004. There will be opportunities in the following months (dates and times to be announced) for the public to comment on the substance of the rest of the Permit, in preparation for the permit reissuance. For more information, and to be placed on a notification list for this process, please contact Habte Kifle at (510) 622-2371, e-mail: hk@rb2.swrcb.ca.gov.